

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 265 - HB 338

April 8, 2021

SUMMARY OF BILL: Requires a prisoner granted parole based on the requirement that the prisoner complete pre-release programming be immediately released under global positioning system (GPS) monitoring if the required programming cannot be commenced at no fault of the prisoner within one month of parole. Requires such prisoner attend and complete eligible community-based programming based on the validated risk and needs assessment.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – \$31,800/FY21-22 and Subsequent Years

Decrease State Expenditures – \$144,300 Incarceration*

Other Fiscal Impact - Realized savings from decreased incarceration expenditures will be recurring savings of \$144,300 in FY21-22 and subsequent years.

Assumptions:

- Based on information provided by the Department of Correction (DOC), the proposed legislation would result in the release of an average of 23 offenders each year 78 days sooner to supervision under GPS monitoring.
- According to the DOC, the average operating cost per offender per day for calendar year 2021 is \$80.46.
- Pursuant to Tenn. Code Ann. § 9-4-210, 23 offenders every year will serve 78 fewer days each year. The recurring decrease in state incarceration expenditures is estimated to be \$144,345 ($\$80.46 \times 78 \times 23$).
- Electronic monitoring of an offender is \$3.80 per day.
- This analysis assumes offenders will participate in a 40-week Cognitive Behavior Intervention Program.
- The average wait time for such programming is 12 weeks.
- This analysis assumes individuals will be required to participate in GPS monitoring until required programming is complete.
- The proposed legislation will result in a recurring increase in state expenditures estimated to be \$31,814 $\{23 \text{ participants} \times [(40 \text{ participation weeks} + 12 \text{ wait week}) \times 7 \text{ days in a week}] \times \$3.80 \text{ per day}\}$ in FY21-22 and subsequent years.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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